



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 17, 2001

Trevor Potter, Esq.
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, DC 20006

Re: MUR 5161 (Lincoln Diaz-Balart for Congress Committee and
Jose A. Riesco, as treasurer)

Dear Mr. Potter:

On May 7, 2001, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 2 U.S.C. §§ 434(b)(1), 441a(f) and 441b(a), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter. Please be advised that the civil penalty in this agreement reflects unusual factors brought forth during the investigation.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Duane Pugh Jr." with a stylized flourish at the end.

J. Duane Pugh Jr.
Attorney

cc: Matthew Petersen, Esq.

Enclosure

21-04-405-1142